

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WILLIAM JACK EDWARDS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 24-666 (MN)
	)	
DELAWARE DEPARTMENT OF	)	
CORRECTIONS, et al.,	)	
	)	
Defendants.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

At Wilmington, this 8th day of May 2025;

WHEREAS, on April 4, 2024, Magistrate Judge Fallon issued a Report and Recommendation (“the Report”) (D.I. 8) in this action recommending that the Court dismiss the claims against the Delaware Department of Corrections (“DDOC”) and the claim against VitalCore for violations of the Health Insurance Portability and Accountability Act (“HIPPA”) with prejudice and the claims against VitalCore for violations of 42 U.S.C. § 1983 without prejudice and that Plaintiff be given leave to file an Amended Complaint to cure the deficiencies outlined in the Report; and


WHEREAS, Plaintiff did not file objections to the Report pursuant to Rule 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period<sup>1</sup>, and the Court finding no clear error on the face of the record;

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<sup>1</sup> The Court originally mailed the Report to Plaintiff at the Sussex Correctional Institution (“SCI”) on April 4, 2025 (4/4/2025 Remark) making the objections due on April 21, 2025 (14 days plus 3 days for mail service). On April 11, 2025, the Court received a letter from Plaintiff advising the Court that he was moved from SCI to the James T. Vaughn Correctional Center (“JTVCC”). (D.I. 9). Not knowing if Plaintiff received the Report mailed to SCI, the Court sent a copy of the Report to Plaintiff at JTVCC. (4/14/2025

THEREFORE, IT IS HEREBY ORDERED that:

1. The Report and Recommendation (D.I. 8) is ADOPTED.
2. Plaintiff's claims against the DDOC and Plaintiff's HIPPA claim against VitalCore are DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i) and (iii) and 1915A(b)(1) and (2).
3. Plaintiff's claims against VitalCore for violations of 42 U.S.C. § 1983 are DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1).
4. Plaintiff is granted leave to file an Amended Complaint on or before June 6, 2025 to correct the deficiencies outlined in the Report and Recommendation.
5. Should Plaintiff fail to file an Amended Complaint in the time prescribed, the Clerk of Court shall CLOSE this case.

  
The Honorable Maryellen Noreika  
United States District Judge

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Remark). The Court then recalculated the objection deadline from the date of mailing to the JTVCC making the objections due May 1, 2025 (14 days plus 3 days for mail service).